

HB 374 -- PERISHABLE FOOD ITEMS

SPONSOR: McGaugh

This bill specifies a person is liable to the producer of a perishable food product for damages and any other appropriate relief if the person disseminates in any manner information relating to the perishable food product to the public that the person knows is false and the information states or implies that the perishable food product is not safe for consumption by the public.

In determining if information is false, the trier of fact must consider whether the information was based on reasonable and reliable scientific inquiry, facts, or data. A person is not liable under these provisions for marketing or labeling any agricultural product in a manner that indicates that the product was grown or produced by using or not using a chemical or drug, was organically grown, or was grown without the use of any synthetic additive.